

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROBERT E. SPRUILL,)
)
 Plaintiff,)
)
 v.) 1:06CV00116
)
DUKE POWER CO.,)
)
 Defendant.)

J U D G M E N T

For the reasons set out in an Order entered contemporaneously with this Judgment,

IT IS ORDERED AND ADJUDGED that plaintiff's request to proceed as a pauper is denied, and that this action be, and the same hereby is, dismissed pursuant to 28 U.S.C. § 1915(e) for being frivolous and/or for failing to state a claim upon which relief may be granted.

This the day of March 20, 2006

/s/ N. Carlton Tilley, Jr.
United States District Judge